

HOUSE No. 2898

By Mr. Festa of Melrose, petition of Michael E. Festa and others relative to choices for certain persons seeking admission to a long-term care facility. Health Care Financing.

The Commonwealth of Massachusetts

PETITION OF:

Michael E. Festa	Peter V. Kocot
Barbara A. L'Italien	Kathleen M. Teahan
Patricia D. Jehlen	Mark C. Montigny
Anne M. Paulsen	Patricia A. Walrath
Bruce E. Tarr	Kathi-Anne Reinstein
Stephen Kulik	Timothy J. Toomey, Jr.
Mary E. Grant	Shirley Gomes
Ruth B. Balser	Paul J. Donato
Deborah D. Blumer	Brian Knuuttila
William C. Galvin	Robert J. Nyman
Joyce A. Spiliotis	Christopher G. Fallon
Theodore C. Speliotis	Cory Atkins
Emile J. Goguen	James B. Leary
David B. Sullivan	David M. Torrisi
David Paul Linsky	Carl M. Sciortino, Jr.
Christopher J. Donelan	Gale D. Candaras
Douglas W. Petersen	Patricia A. Haddad
William Smitty Pignatelli	Alice K. Wolf
John W. Scibak	James J. Marzilli, Jr.
Jay R. Kaufman	Elizabeth A. Malia
Frank I. Smizik	Robert M. Koczera
Michael J. Rodrigues	Shirley Owens Hicks
Susan W. Pope	Philip Travis
Bradley H. Jones, Jr.	Michael F. Rush
Thomas A. Golden, Jr.	Jennifer M. Callahan
William G. Greene, Jr.	Charles A. Murphy
Edward G. Connolly	Brian S. Dempsey
Rachel Kaprielian	Pamela P. Resor
James R. Miceli	Bruce J. Ayers
Christine E. Canavan	Antonio F. D. Cabral
Frank M. Hynes	Thomas J. O'Brien

Thomas M. Stanley
Jeffrey Sánchez
Patrick M. Natale
Mark J. Carron

Douglas W. Petersen
Alice Hanlon Peisch
Walter F. Timilty

In the Year Two Thousand and Five.

AN ACT REGARDING CHOICE OF LONG-TERM CARE SETTING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 9 of chapter one hundred and eighteen E is
2 hereby amended by striking, in the second paragraph, the
3 following sentence:—

4 provided, further, that said benefits shall be available to other-
5 wise eligible persons seeking admission to and residents of long-
6 term care facilities whose income and resources are insufficient to
7 meet the cost of their medical care as determined by the financial
8 eligibility requirements of said program.

9 and replacing it with the following new sentence:—

10 provided, further, that said benefits shall be available to other-
11 wise eligible persons seeking long term care whose income and
12 resources are insufficient to meet the cost of their medical care as
13 determined by the financial eligibility requirements of said pro-
14 gram. For the purposes of this chapter, the division shall establish
15 clinical eligibility for a long term care benefit, so-called. Any
16 person determined by the division as clinically eligible for said
17 long term care benefit shall be given the choice of care setting that
18 is the least restrictive and most appropriate to meet his or her
19 needs. The dollars that are provided for said long term care benefit
20 shall follow such individual as his or her setting of care changes.

1 SECTION 2. The division shall promulgate regulations to
2 implement the provisions of this section.